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September 16, 2005

VIA CM/ECF AND HAND DELIVERY

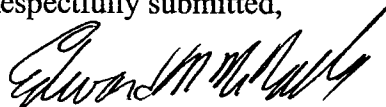
The Honorable Sue L. Robinson
Chief Judge
U.S. District Court for the District of Delaware
844 North King Street
Wilmington, DE 19801

Re: *Elsmere Park Club, L.P. v. Town of Elsmere, et al.*
Civ. No. 04-1321-SLR

Dear Judge Robinson:

Enclosed is a substitute Appendix in Support of Defendants' Opening Brief in Support of Their Motion for Summary Judgment for the Appendix filed by the Town of Elsmere Defendants on September 1, 2005, in the above-captioned matter. In the original filing, there were several black and white photographs that are difficult to read because they are photocopies of the original color pictures. Since then we have obtained additional copies of the color photographs and they are included in the attached Appendix to be substituted for the Appendix filed previously. We apologize for any inconvenience.

Respectfully submitted,



Edward M. McNally (#614)

EMM:bes

Enclosure

cc: Clerk, U.S. District Court (w/enclosure; hand delivery)
David S. Eagle, Esquire (w/out enclosure; hand delivery)